IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.73522-M of 2006
Date of Decision:- 29.1.2007

Subhash ....Petitioner(s)

through
Mrs.Sarla Chaudhary, Advocate

vs.

State of Haryana & anr. ....Respondent(s)

through
Mr.Tarun Aggarwal, Sr.DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner, who is a life convict under Section 302 IPC, is aggrieved at the order dated 30.10.2006 (Annexure P-1) whereby parole for agricultural purposes has been denied to him on the ground that "he may commit some serious offence."

Somewhat similar stand has been taken in the written statement also.

There is no denial to the fact that the petitioner was sentenced on 8.1.1985 and thereafter he has been released on parole on various occasions including the last agricultural parole availed by him from 22.8.2005 to 4.10.2005.

There is also no denial to the fact that all the paroles were availed by the petitioner peacefully and no untoward incident took place.

There, thus appears, to be no basis for apprehension expressed by the respondents in the impugned order.

Consequently, this petition is allowed to the extent that the impugned order dated 30.10.2006 (Annexure P-1) is quashed and the

Director General of Prisons, Haryana is directed to reconsider the petitioner's case in the light of the observations made hereinabove and take an appropriate decision within a period of two months from the date of receipt of certified copy of this order.

January 29, 2007 **(SURYA KANT)**
poonam **JUDGE**